

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**5:07cv74**

**EDITH C. PETERSON, individually,  
and as Trustee of the ECP Trust,**

**Plaintiff,**

**Vs.**

**ORDER**

**THE CITY OF HICKORY; THE  
CITY OF HICKORY CODE  
ENFORCEMENT DIVISION,  
HICKORY, NC 28601; MR. JERRY  
SHERWOOD; MR. MICHAEL E.  
CASH; THE CITY OF HICKORY  
PLANNING BOARD; CATAWBA  
COUNTY, NC 28658; CATAWBA  
COUNTY ZONING BOARD;  
CATAWBA COUNTY PUBLIC  
HEALTH DEPARTMENT  
ENVIRONMENTAL AFFAIRS  
DIVISION; and CATAWBA  
COUNTY PLANNING BOARD,**

**Defendants.**

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**THIS MATTER** is before the court on plaintiff Edith C. Peterson's Motion for Reconsideration of Magistrate Judge's 7/5/2009 Order. In that Order this court denied such plaintiff's *pro se* motion for additional time to find counsel inasmuch as

she was, at that time, represented by counsel.

Since entry of the Order which Ms. Peterson asks this court to reconsider, the court has entered a second Order which allowed her former attorney to withdraw and gave Ms. Peterson, in her capacity as trustee, 30 days within which to secure substitute counsel for the trust. Such Order was sent to plaintiff *via* certified mail on July 9, 2009. The Clerk of court informs the court that despite the passage of some 13 days, Ms. Peterson has not picked up and signed for her legal mail from this court.

It appearing that the relief sought in the instant motion is mooted by this court's July 9, 2009, Order, the request will be denied. Ms. Peterson is strongly encouraged to check her mail regularly, have her mail forwarded or checked when she is away for long periods, and at all times keep the Clerk of this court advised as to where she will be receiving her mail.

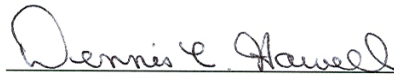
### **ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiff Edith C. Peterson's Motion for Reconsideration of Magistrate Judge's 7/5/2009 Order (#94) is **DENIED** as moot.

**Ms. Peterson, suing in her capacity as the Trustee of the ECP Trust, is again advised that if an attorney does not appear on behalf of the trust on or**

**before August 10, 2009, the undersigned will thereafter recommend to the district court that such plaintiff's claims be dismissed.**

Signed: July 22, 2009

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Dennis L. Howell  
United States Magistrate Judge

